

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CHARLES LUCKERT,	§	
Petitioner,	§	
	§	
VS.	§	CIVIL ACTION NO.4:05-CV-226-Y
	§	
COLE JETER, Warden,	§	
FMC-Fort Worth,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Charles Luckert under 28 U.S.C. § 2241, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on July 13, 2005; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on July 25, 2005.

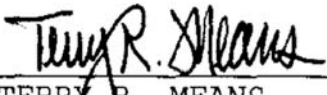
The Court, after de novo review, concludes that Luckert's objections must be overruled and that the petition for writ of habeas corpus should be denied, for the reasons stated in the magistrate judge's findings and conclusions, and for the alternative reasons set forth in Jeter's response, section II. The Court finds that the motion for class certification should be denied for the reasons stated in Jeter's response at section III.

It is therefore ORDERED that the findings, conclusions and recommendation of the magistrate judge should be, and are hereby, ADOPTED.

It is further ORDERED that petitioner Charles Luckert's motion for class certification [docket no. 3] be, and is hereby, DENIED.

It is further ORDERED that Luckert's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 be, and is hereby, DENIED.

SIGNED July 27, 2005.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE